



MEETING MINUTES

**MCDOWELL SONORAN PRESERVE COMMISSION
7506 E. INDIAN SCHOOL ROAD
COMMUNITY DESIGN STUDIO - NAVE
SCOTTSDALE, ARIZONA 85251
THURSDAY, SEPTEMBER 6, 2007**

- PRESENT:**
- Erik Filsinger, Vice-Chair
 - Joan Fudala, Commissioner
 - Melinda Gulick, Commissioner
 - Rand Hubbell, Commissioner
 - Virginia Korte, Commissioner
 - Gerry Miller, Commissioner
 - Arnold Roy, Commissioner
 - Tom Silverman, Commissioner
 - Linda Whitehead, Commissioner
 - Solange Whitehead, Commissioner
- ABSENT:**
- Art DeCabooter, Chair
- STAFF PRESENT:**
- Bob Cafarella, Director
 - Claire Miller, MSP Manager
 - Don Meserve, Planner
- ALSO PRESENT:**
- State Senator Carolyn Allen
 - Carla, Citizen Conservation Advocate
 - Ruthie Carll, MSC Managing Director
 - Dan Gruber, MSC Steward
 - B. J. Heggli, MSC Steward
 - Larry Levy, MSC Steward
 - Len Marcisz, MSC Board Chairman

1. **CALL TO ORDER AND INTRODUCTIONS**

Vice-Chair Filsinger called the meeting to order at 5:01 p.m.

A roll call and introductions indicated members and guests present as stated above.

2. **Approval of July 5, 2007 Meeting Minutes**

In response to an inquiry from Carla, Mr. Cafarella explained that the motion passed by the Commission last month regarding the land bridge across Dynamite Boulevard was passed on to the staff of the Transportation Department. Staff would make a recommendation to the Transportation Commission, and ultimately Council would make the decision. The MSPC would have an opportunity to encourage language that is more suitable if it is unhappy with the result.

Carla clarified her public comment on item 7. She requested that if a small group is established to monitor emerging issues, that it not be limited to just the Commissioners but would allow citizen advocates as well.

Vice-Chair Filsinger clarified that he was referring to the National Environmental Policy Act in item 8, not the Environmental Protection Act.

COMMISSIONER SOLANGE WHITEHEAD MOVED TO APPROVE THE MINUTES OF THE JULY 5, 2007 MCDOWELL SONORAN PRESERVE COMMISSION MEETING AS AMENDED. COMMISSIONER FUDALA SECONDED. THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF TEN (10) TO ZERO (0).

3. **MSC Activities**

Ms. Carll distributed copies of the annual report. She announced that the MSC benefited from a 60% increase in volunteerism during the past year. The Points of Light Foundation values the type of volunteer work done at the MSC at \$18.05 an hour. Using that rate, the monetary contribution provided to the City in the form of service amounts to \$327,000.

Financially, the endowment has more than doubled and netted more than \$50,000 in cash despite a threefold increase in the expense budget. The MSC is attempting to recruit 200 volunteers this year. Training has been revamped, and programs are now run at four different times of the year.

McDowell Sonoran Month will feature a huge assortment of programs, with all but five days in October featuring an event.

4. **State Land Reform**

Vice-Chair Filsinger invited Senator Carolyn Allen to speak about the State land reform issue.

Senator Allen explained that Senator O'Halleran and she chose to kill the State land reform bill because they were not comfortable with it. She felt it did not treat the education community well as beneficiaries. She was also sorry the proposition on land reform did not pass.

She reported that Governor Napolitano would chair a meeting of elected officials to discuss the land reform issue and will act as the moderator. The goal of the meeting is to arrive at a consensus that adequately addresses all of the parties' contentions. Senator Allen invited questions from the Commission and the public.

Commissioner Miller asked what the MSPC could do to benefit the situation. Senator Allen advised constituents to contact other state elected officials and convince them that the public supports open space in Arizona. The politicians need to hear that.

Senator Allen responded to a Commissioner Linda Whitehead inquiry, saying the objective of the Governor's meeting was to produce a bill for the November 2008 ballot. She said the bill must adequately address the changes to the State constitution. Public support is necessary to change the enabling act.

Vice-Chair Filsinger invited public comment after the Commissioners had finished with their comments and questions.

Carla said a small group of conservationists from across Arizona met with the Governor, who told them that she wanted State land reform to be part of her legacy. One of the sticking points is that the measure not give away land for free. Some of the state's conservation groups have asked that there be a new category called a reserve, much like Colorado has. Reserve land could be set aside for 50 to 100 years before it is dealt with.

Carla reported that meetings with elected officials are progressing. The Governor hopes to have the matter decided closer to the start of the session, to give groups time to draw up an initiative in the event that it does not get through the Legislature.

In response to Commissioner Hubbell's inquiry, Senator Allen responded that the Arizona Education Association and the Arizona School Board Association are not on the same page. She said she would like to ensure that the State Land Department has enough money to do its job and to do planning.

Commissioner Hubbell said Proposition 106 would have changed the constitution so that State land sales would not just go to the highest bid, but considers best use as well. Carla clarified that that was true for specific lands. However, in the planning process, a large parcel of land could be sold in portions, with an individual portion selling for less than the highest bid as long as the parcel's total value was recouped in the sale of the remainder.

Senator Allen said one issue that remains to be resolved is whether to include maps in the process. Opinions are divided on whether it would be a good idea or not. Carla said a large part of the conservation community now feels that maps would be counterproductive, and that it would be more important to establish an ongoing process, rather than delineate parcels on a map.

Vice-Chair Filsinger thanked Senator Allen, on behalf of the Commission, for coming to the MSPC meeting.

5. Planning for Proposed DDC

Mr. Cafarella reported that the RFP for the marketing study for the proposed Desert Discovery Center (DDC) has been issued, and nine firms have responded. The applicants are being evaluated and interviews will be conducted in September, if necessary. The goal is to have the item to approve the marketing consultant contract on the October Council agenda.

6. **MSC Objectives Related to the Proposed DDC**

Mr. Gruber said the McDowell Sonoran Conservancy has always viewed the Desert Discovery Center as an extremely important part of its mission of advocacy, education and stewardship. The Board of the Conservancy made a commitment to the future of the DDC, by agreeing to provide a volunteer education coordinator to train and supply the many volunteers that the facility would need. He was reporting to the MSPC on behalf of the DDC Committee of the MSC as the chair of that committee.

The MSC Board decided to be an active participant in the ongoing process of exploring new concepts for the DDC. The DDC Committee was formed in February and charged with:

- Developing objectives from the perspectives of preservation, education and tourism.
- Contemplating possible Conservancy roles at the DDC.
- Participating in the planning process.

To that end, the DDC Committee researched 15 other conservancies in major urban centers, and met with representatives of the local tourism industry to get their perspectives.

Three broad alternatives were identified for the Conservancy's role in the DDC, those being:

1. to contribute several positions of volunteer and programmatic support, or
2. to be a major contractor, responsible for the educational and programmatic content at the DDC, or
3. to be the principal contractor, responsible for actually operating the DDC on behalf of the City.

The Committee concluded that until the Center's concept is more fully developed and supported, and the governance structure is decided upon by City Council, it could not make a recommendation on the best alternative.

Mr. Gruber said the DDC Committee also considered planning efforts. It emphasized the need for statistically valid research and analysis of residents and visitors. Once the analysis has been done, time should be provided to allow public input and build community support before any additional analysis was done. The Committee also prepared a summary of suggestions to be included in the consultant scope of work.

The Committee developed 25 comprehensive objectives for the DDC, encompassing matters of interest and concern to as many of the major constituencies as possible. The objectives represent the Conservancy's approach. The Committee suggested that other constituencies develop their own objectives for the DDC as well, to open a public discussion. It would be important for the consultants to have as diverse a list of objectives as possible. The Commission received copies of these 25 objectives prior to the meeting through an email from Bob Cafarella.

The Conservancy's visible presence at the DDC would give it the chance to interact with a large audience who may not otherwise use the Preserve, but would come to the center. The DDC would be a focal point for education about the Sonoran Desert and the Preserve specifically. By increasing the Conservancy's visibility in this manner, more volunteers could be recruited and more money could be raised to support the Preserve. The extent of the Conservancy's

involvement and presence at the DDC remains to be determined by the City. Mr. Gruber emphasized that the Conservancy has no desire to place its name on the facility. Commissioner Miller noted that the MSPC has not created its own list of objectives for the DDC, and suggested that it be done.

Commissioner Linda Whitehead said the objectives were comprehensive and well thought out and agreed with 23 of the 25 of them. She said item 24 was worded in a way that suggests the facility could be used for MSC fundraising. Regarding item 25, she opined that the DDC should be the face of the Preserve, not the face of the Conservancy.

Commissioner Solange Whitehead said the MSPC is responsible for ensuring that the City incorporates all relevant aspects of environmental education at the Preserve. The Conservancy represents one important aspect, but cannot be the only one group involved.

Commissioner Gulick responded that the Conservancy realizes it is not the only constituency. The presentation was made to share the group's perspectives and to invite open discussion about the nature of the DDC.

Carla clarified for the record that she attended only the first three meetings of the DDC Committee, and had no role in the formation of its recommendations. She said the Conservancy has done wonderful work, but every stakeholder group in the community must feel that the DDC belongs to them, and every citizen must feel comfortable knowing that they had a part in the creation process. There cannot be the perception that one group has more input than any other.

Mr. Len Marcisz, Chairman of the Conservancy Board, thanked the MSPC for the opportunity for the Chair of the DDC Committee to make their presentation on the MSC objectives. He emphasized that the Conservancy enthusiastically supports the DDC concept and looks forward to partnering with any other group that wants to advance its cause. He invited other stakeholders to formulate their own objectives, and the public to share its ideas.

7. Strategies for Making Private Donations to Preservation Program

Mr. Cafarella reviewed the Commission's discussion from the last meeting. The Commission had considered whether the City should establish some type of mechanism for the City to do fundraising for the Preserve. There had been a fundraising effort in the early 1990's to solicit private funds for the Preserve, but since the Preserve tax was enacted, that effort has declined. Currently the City does not have a separate fund apart from the Preserve tax proceeds that are used to buy land and make access area and trail improvements. The Commission also discussed whether the Conservancy should be the City's conduit for raising private funds for the Preserve. He distributed copies of the proposed strategies to the Commissioners.

Commissioner Korte opined that the failure of the City's Preserve trust fund was not due to the Preserve tax; it was because people generally do not like to donate money to a city.

Commissioner Fudala concurred with Commissioner Korte, but said the existence of a designated friends organization serves as an important mechanism should donations come in.

Commissioner Korte suggested that the Conservancy could embark on a campaign to market themselves as the friends of the Preserve. Commissioner Fudala questioned whether one organization should become the friends group to the exclusion of all others.

Commissioner Gulick said the Preserve already has a friends group in the form of the McDowell Sonoran Conservancy. The annual report shows that the group has set aside \$230,000 for land acquisition. It is easier to raise money with money already in hand. The MSPC could work with the Conservancy to raise funds for acquisitions.

Commissioner Solange Whitehead asked whether a city-based, non-profit friends organization would require a different set of guidelines than an independent non-profit would.

Vice-Chair Filsinger said future discussion on the topic should address whether donations to a City-affiliated group would be tax-deductible.

The Commission agreed to table the discussion until the next meeting.

8. **Modifications to the Conceptual Preserve Trails Map**

Vice-Chair Filsinger distributed minutes from the MSPC Planning Committee meeting of August 23. The Committee voted to recommend that the MSPC adopt four new trail segments into the Conceptual Preserve Trail System. The recommended additions to the system were developed using ten years of accumulated knowledge from user groups.

Mr. Cafarella presented the four trail segments on maps for the Commission's review.

- Loop segment A extends the Quartz Trail over the ridge, tying into the old jeep road and creating a loop. The Quartz Trail currently just stops at a dead end in Taliesin Wash, which encourages people to create spider trails. It could be created easily and with minimal impact.
- Loop segment B would directly connect the Quartz Trail with the central trail system, and would also enable people to reach the trail to the summit of Thompson's Peak from the west or south side of the Preserve.
- Loop segment C would be created to alleviate a problem that develops when equestrians or bicyclists encounter a vehicle heading uphill on a nearby road, and it would enable people to avoid the steep slopes on the existing dirt and paved road.
- Loop segment D would tie the central area to the northern one via the Windgate and Tom's Thumb Trails. The trail was located to avoid a water catchment basin where wildlife congregates.

The four trail segments create loops that are popular with users, and the trail will connect all parts of the Preserve in the McDowell Mountains. Some of the trails are proposed to have a narrow tread width, 2 feet, and could be constructed by hand. Narrower trails would be more difficult for equestrians and bicyclists to navigate, but those groups have indicated that they enjoy the challenge.

Commissioner Linda Whitehead said loop trails are good because they lead users back to a logical starting place. Signage will be important to prevent people from getting lost.

Mr. Cafarella indicated that most of the trails in the McDowell Mountains have been signed. Trails will also be marked with signs denoting the beginning of remote areas and suggesting safety precautions for users going beyond the sign.

Commissioner Miller questioned the necessity of segment B, saying it is already possible to get from the southern area to the central area trails. Mr. Cafarella noted that a trail starts in Fountain Hills, but it goes through the County Park and does not come from the Preserve. Commissioner Miller expressed concern about the natural area getting overly fragmented.

Carla said the McDowells are supposed to be a preserve, not a park, and planning should not be done incrementally. She said Commissioner Miller is correct about fragmentation. Just because users want segment B, does not mean it is the right thing for the land. It is the MSPC's job to do what is best for the land. The integrity and sustainability of the Preserve must be protected for future generations. She asked that the Commission table the discussion and contemplate the vision of the Preserve before making exceptions.

Vice-Chair Filsinger said the Planning Committee discussed the relative values of the three missions of the Preserve; education, protection of the environment, and appropriate recreational use. He explained that segment B was designed as a balance between the need to preserve the most important parts of the environment, while also allowing for recreational use. Users are already walking (bushwhacking) into sensitive wildlife habitat where the trail ends. It is more important to designate the areas where people should go, and then manage its use.

Mr. Levy said that as a steward, he constantly gets questions about when a crest trail will be developed, or about trails on the west side of the McDowells. Many users bushwhack where there are no trails, despite being told it is against regulations. He also expressed reservations about opening more trails. He noted that the new segments would traverse areas that are hard to access by helicopter, meaning they should be wide enough to allow ATVs for emergency purposes.

Mr. Gruber said the segments were not created just to respond to what people want. They were selected as preferable alternatives to prevent bushwhacking. He argued that over time, the trail plan needs refinement as new knowledge is gained.

Ms. Carll said the trails segments were chosen to control where users go in order to enhance the preservation of the land. People want to go on trails; they only bushwhack when there are no other options.

COMMISSIONER KORTE MOVED TO RECOMMEND MODIFICATIONS TO THE CONCEPTUAL PRESERVE TRAILS MAP AS PRESENTED. COMMISSIONER GULICK SECONDED.

Carla agreed that plans adjust over time, but doubted that segment B was necessary. Many trails that are currently being used in the north will be closed. This situation provides an opportunity to educate people about the distinctions between a park and a preserve, instead of just putting up trails wherever people want to go. Before changes are made, she asked the Commission to consider what the trails would do to the Preserve's integrity 50 years from now.

Commissioner Linda Whitehead said she saw the segments as creating connectivity, not fragmentation, and did not understand how they contributed towards turning the Preserve into a park.

Carla said a park is intended to allow as many people to enjoy it as possible, while a preserve puts emphasis on protecting the resource first, while helping people enjoy the land appropriately. Without public access, there would be no support, but if the land is cut up into small pieces, it changes the patterns of wildlife and makes the land harder to sustain.

Commissioner Solange Whitehead said the Commission should protect against the proliferation of trails, but at the same time, it is important to connect the different areas of the Preserve. Segment B is very short and would not be used heavily.

THE MOTION WAS APPROVED BY A VOTE OF EIGHT (8) TO TWO (2), WITH COMMISSIONERS MILLER AND SILVERMAN DISSENTING.

9. **Promotion Committee Activities**

Commissioner Solange Whitehead said the Promotion Committee is making efforts to reach out to citizens who have not supported the Preserve in the past, and are not generally users.

10. **Invasive Plants**

Commissioner Miller distributed a report on the invasive weeds program. More people are needed for weed removal, especially certified crew leaders for weed removal, just as there are now crew leaders for trail maintenance. A four-hour crew leader training program is proposed. Crew leaders for weed removal through the use of herbicides are also desired, but they would have to be licensed herbicide applicators. The first option is a higher priority.

The invasive weeds programs need the assistance of promotions to encourage more volunteers. There is also the need for more public awareness regarding enforcement, specifically about cleaning vehicles and hiking gear, and other steps people can take to prevent invasive species from being introduced into the Preserve unintentionally.

In response to an inquiry from Commissioner Solange Whitehead, Ms. Carll explained that the Conservancy uses a modularized approach to training stewards, and it is focused on specialist roles.

11. **Preserve Director's Report**

Mr. Cafarella said on September 18, City Council would consider the City's municipal use permit for the Gateway project (Item #6 on their Consent Agenda for case #10-UP-2006). The public would have an opportunity to participate. If the permit were approved, a Design Review Board process would begin on the public access area. The Desert Discovery Center would go through an independent DRB process later. Work would begin in the springtime, and the goal is to have the access area open as early as possible in 2009.

The new permanent trailhead map boards have arrived and will be unveiled soon.

In response to an inquiry from Commissioner Linda Whitehead, Mr. Cafarella said the new map boards only cover trails in a certain part of the Preserve, but will be good for a number of years before they become obsolete. They do not list Preserve regulations.

12. **Preserve Manager's Report**

Ms. Miller said October would be a busy month with the many different activities that are planned. She has been invited to attend a meeting with the State Land Department about the region's air quality issues. She will make a report in October.

13. **Future Executive Session for McDowell Sonoran Preserve Commission**

COMMISSIONER KORTE MOVED TO HOLD AN EXECUTIVE SESSION ON OCTOBER 4, 2007, TO DISCUSS AND CONSULT WITH ROBERT CAFARELLA, THE COMMISSION'S DESIGNATED REPRESENTATIVE, TO CONSIDER THE COMMISSION'S POSITION AND INSTRUCT ITS REPRESENTATIVE WITH RESPECT TO THE PURCHASE, SALE OR LEASE FOR INCLUSION IN THE MCDOWELL SONORAN PRESERVE OF REAL PROPERTY LOCATED WITHIN THE RECOMMENDED STUDY BOUNDARY FOR THE MCDOWELL SONORAN PRESERVE. ARS 38-431.03 (A) (3) and (A) (7). COMMISSIONER SOLANGE WHITEHEAD SECONDED. THE MOTION PASSED UNANIMOUSLY BY A VOTE OF TEN (10) TO ZERO (0).

14. **Commissioner Comments and Public Comments**

Carla said the Preserve endowment group could be set up in such a manner as to allow donations to be tax-deductible.

Commissioner Gulick reminded the Commission that McDowell Sonoran Month is in October. A list of activities is highlighted on www.mcdowellsonoranmonth.com. She distributed copies of the latest MSC newsletter to the Commission.

15. **Agenda Items for Future Meetings**

The next meeting is October 4.

16. **Adjournment**

With no further business to discuss, the meeting adjourned at 7:20 pm.

Respectfully submitted,
A/V Tronics, Inc.